

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Henry C.,

Case No. 24-cv-1849 (KMM/TNL)

Plaintiff,

v.

**ORDER**

Martin J. O'Malley, Commissioner of the  
Social Security Administration,

Defendant.

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This matter is before the Court on a Report and Recommendation (“R&R”) issued by Magistrate Judge Tony N. Leung. ECF No. 6. On May 19, 2024, Mr. C. was instructed to pay a \$405.00 filing fee or to apply for *in forma pauperis* (“IFP”) status. ECF No. 2. Because Mr. C. failed to pay the filing fee or to apply for IFP, on June 18, 2024, Judge Leung recommended dismissing Mr. C.’s action without prejudice under Fed. R. Civ. P. 41(b) for failure to prosecute. Mr. C. has not objected to the R&R, and the time to do so has passed. Indeed, Mr. C. has not communicated with the Court in any way since he first filed his complaint.

The Court reviews *de novo* any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the Court reviews the R&R for clear error. *Nur v. Olmsted County*, 563 F. Supp. 3d 946, 949 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). The Court has conducted that review, and accepts the R&R.

**IT IS HEREBY ORDERED THAT** this matter is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

Date: October 1, 2024

*s/Katherine Menendez*

Katherine Menendez

United States District Judge